

REMARKS

Claims 1-10, 12-14 and 23-35 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

I. Finality of Office Action

It is noted that in the Office Action dated December 11, 2002, the box "2a" was checked to indicate that "the action is Final." However, the finality of the Office Action is improper and should be withdrawn.

II. Election Requirement

Applicant acknowledges the election of the claims in Group I. Applicant has canceled the non-elected claims and reserves the right to file a divisional application at a later time if so desired.

III. Rejection Under 35 U.S.C. § 103

Claims 1-5, 7 9-10, 12-14 and 23-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the English abstract of JP 2000-265141 in view of Saito (U.S. Pat. No. 5,635,263). This rejection is respectfully traversed.

At the outset, Applicant notes that the Examiner asserts that the English abstract of Japanese 2002-265141 discloses that the surface of the mesh tape provides anti-slipping property because the mesh surface as exposed has a roughened surface. However, Applicant fails to find any reference or suggestion of a roughened surface in the English abstract of the JP '141 reference. The abstract mentions "adhesive property and an excellent anti-slipping property," but does not make any reference to a roughened surface. Applicant submits that the anti-slipping property is due to the

adhesive and does not have anything to do with a roughened surface as asserted by the Examiner. Accordingly, the JP '141 reference fails to disclose the limitation that the sheet, when removed, "exposes a clean roughened surface of said mesh tape."

Furthermore, Applicant submits that Saito '263 fails to teach or suggest "a sheet removably attached to at least one side of the mesh tape." In Saito '263, the purpose of the substrate (2) disclosed as a fabric, cloth, film, or release paper is to hold the unidirectional carbon fibers together. One of ordinary skill who has handled unidirectional carbon knows that you cannot pick up a sheet of unidirectional carbon without it falling apart. Thus, it is necessary to have the substrate 2 of Saito in order to hold the unidirectional fibers together. Applicant submits that the reinforcing sheet 1 of Saito never discusses or mentions the removal of the substrate sheet 2. In fact, in each of the embodiments shown in Figures 1-4, the substrate sheet 2 is illustrated as part of the reinforcing sheet which is not removed. Therefore, the Examiner's assertion that Saito teaches the advantages of using a release liner to provide protection to the exposed surface of the tape is incorrect. Accordingly, the Examiner's proposed modification of using a release liner in the invention of JP '141 is also improper. Therefore, reconsideration and withdrawal of this rejection are respectfully requested.

Applicant notes that claim 24 has been amended to include the limitation of "a sheet removably attached to at least one side of said woven longitudinal and lateral fibers, said longitudinal and lateral fibers defining openings therebetween which are filled with said coating material wherein said sheet, when removed, exposes a clean roughened surface of said woven longitudinal and lateral fibers and removes a coating material disposed in said openings between said longitudinal and lateral fibers." With

regard to claim 24, Applicant submits that the combination of JP '141 and Saito '263 fail to teach or suggest a removable sheet which, when removed, exposes a clean roughened surface of the woven longitudinal and lateral fibers and also removes the coating material disposed in the openings between the longitudinal and lateral fibers. Therefore, claims 24-30 should now be in condition for allowance.

Applicants further dispute the Examiner's assertion that the cross-sectional shape of fibers would have been an obvious design choice variation. Specifically, the Examiner fails to cite any reference to suggest that the cross-sectional shape would be an obvious design choice.

IV. Conclusion

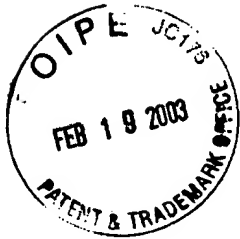
It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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ATTACHMENT FOR CLAIM AMENDMENTS

Serial No. 09/903,414

The following is a marked up version of each amended claim in which underlines indicates insertions and brackets indicate deletions.

24. (AMENDED) An article for use in reinforcing a structural element, the article comprising:

a plurality of longitudinal fibers;

a plurality of lateral fibers interwovenly connected to the longitudinal fibers;

and

a coating material applied to the woven longitudinal fibers and the lateral fibers; and

a sheet removably attached to at least one side of said woven longitudinal and lateral fibers, said longitudinal and lateral fibers defining openings therebetween which are filled with said coating material, wherein said sheet when removed exposes a clean roughened surface of said woven longitudinal and lateral fibers and removes the coating material disposed in said openings between said longitudinal and lateral fibers.

Claims 15-22 and 36-42 have been cancelled.

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